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*Attorneys for Plaintiff Cisco Systems, Inc.*

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

CISCO SYSTEMS, INC.,

CASE NO. 5:14-cv-5344-BLF (NC)

**Plaintiff,**

VS

**DECLARATION OF SARA E. JENKINS  
IN SUPPORT OF ADMINISTRATIVE  
MOTION TO FILE UNDER SEAL  
CONFIDENTIAL INFORMATION IN  
CISCO'S REPLIES IN SUPPORT OF ITS  
MOTIONS TO EXCLUDE EXPERT  
OPINION TESTIMONY FROM  
DEFENDANT ARISTA NETWORKS,  
INC.'S EXPERTS**

ARISTA NETWORKS, INC.

## Defendant

DECLARATION OF SARA E. JENKINS IN SUPPORT OF CISCO'S  
ADMINISTRATIVE MOTION TO FILE UNDER SEAL  
Case No. 5:14-cv-05344-BLF (NC)

**DECLARATION OF SARA E. JENKINS**

I, Sara E. Jenkins, declare as follows:

1           **1.** I am an attorney licensed to practice in the State of California and am admitted to  
 2 practice before this Court. I am an associate with the law firm Quinn Emanuel Urquhart &  
 3 Sullivan, LLP, counsel for Plaintiff Cisco Systems, Inc. (“Cisco”). I have personal knowledge of  
 4 the matters set forth in this Declaration, and if called as a witness I would testify competently to  
 5 those matters.

6           **2.** I make this declaration in support of Cisco’s Motion to File Under Seal  
 7 Confidential information filed connection with Cisco’s Replies in Support of Its Motions to  
 8 Exclude Expert Opinion Testimony from Arista Network, Inc.’s (“Arista”) Experts. I make this  
 9 declaration in accordance with Civil Local Rule 79-5(d)(1)(A).

10          **3.** As Replies in support of Motions to Exclude Expert Testimony, Cisco’s Replies are  
 11 non-dispositive. In this context, materials may be sealed so long as the party seeking sealing  
 12 makes a “particularized showing” under the “good cause” standard of Federal Rule of Civil  
 13 Procedure 26(c). *Kamkana v. City and Cnty. of Honolulu*, 447 F.3d 1172, 1180 (9th Cir. 2006)  
 14 (quoting *Foltz v. State Farm Mutual Auto Insurance Co.*, 331 F.3d 1122, 1138 (9th Cir. 2003)). In  
 15 addition, Civil Local Rule 79-5 requires that a party seeking sealing “establish[] that the  
 16 document, or portions thereof, are privileged, protectable as a trade secret or otherwise entitled to  
 17 protection under the law” ( *i.e.*, that the document is “sealable”). Civil L.R. 79-5(b). The sealing  
 18 request must also “be narrowly tailored to seek sealing only of sealable material.” *Id.*  
 19

20          **4.** Cisco files its motion to seal to provide Arista with the opportunity to file a  
 21 declaration pursuant to Civil Local Rule 79-5(e) regarding the confidentiality of the documents  
 22 specified below. Cisco does not claim confidentiality in any of these documents.  
 23

24  
 25  
 26  
 27 02099-00004/8294736.1  
 28

Document	Portions to Be Filed Under Seal	Party With Claim of Confidentiality
Cisco's Reply in Support of Its Motion to Exclude Expert Opinion Testimony From Arista's Expert Dr. John Black	Highlighted Portions	Arista
Cisco's Reply in Support of Its Motion to Exclude Expert Opinion Testimony From Arista's Expert William M. Seifert	Highlighted Portions	Arista
Cisco's Reply in Support of Its Motion to Exclude Expert Opinion Testimony From Arista's Expert Cate M. Elsten	Highlighted Portions	Arista

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed in Redwood Shores, California, on August 26, 2016.

*/s/ Sara E. Jenkins*  
Sara E. Jenkins

02099-00004/8294736.1

1  
2                   **SIGNATURE ATTESTATION**  
3

4                   Pursuant to Civ. L.R. 5-1(i)(3), the undersigned hereby attests under penalty of perjury that  
5 concurrence in the filing of this document has been obtained from the signatory indicated by the  
6 "conformed" signature (/s/) of registered ECF User Sara E. Jenkins.  
7

8 Dated: August 26, 2016

9                   \_\_\_\_\_  
10                   /s/ *John M. Neukom*  
11                   John M. Neukom  
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